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*courage is contagious*

## Viewing cable 09MANAGUA203, GON/FSLN: ON ELECTIONS, IT'S TIME TO MOVE ON

If you are new to these pages, please read an introduction on the [structure of a cable](#) as well as how to [discuss them](#) with others. See also the [FAQs](#)

### Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

### Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#09MANAGUA203**.

Reference ID	Created	Released	Classification	Origin
<a href="#">09MANAGUA203</a>	<a href="#">2009-02-25 15:39</a>	<a href="#">2011-08-30 01:44</a>	<a href="#">CONFIDENTIAL</a>	<a href="#">Embassy Managua</a>

Appears in these articles:

<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758456.aspx>  
<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758467.aspx>  
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<http://www.nacion.com/2011-05-16/Mundo/NotasSecundarias/Mundo2757239.aspx>  
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<http://www.confidencial.com.ni/articulo/3968/pellas-pronostico-a-eeuu-victoria-de-ortega-en-2006>  
<http://www.confidencial.com.ni/articulo/3967/barreto-era-ldquo-fuente-confiable-rdquo-para-eeuu>

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E.O. 12958: DECL: 02/22/2019

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SUBJECT: GON/FSLN: ON ELECTIONS, IT'S TIME TO MOVE ON

REF: A. MANAGUA 96

[1](#)B. MANAGUA 80

[1](#)C. 2008 MANAGUA 1505

Classified By: Ambassador Robert J. Callahan, reasons 1.4(b) and (d)

[1](#)1. (C) Summary: Nearly four months after the governing Sandinista National Liberation Front (FSLN) claimed "victory" in the November 2008 municipal elections, there has been no indication that the Nicaraguan government intends to address the credible allegations of fraud or complaints regarding the partisan manipulation of the electoral system. Government officials, including Supreme Electoral Council (CSE) staff, privately have admitted to us electoral fraud but downplayed suggestions that some CSE magistrates would be removed prior to the end of their terms in 2010. Up until mid-January opposition parties in the National Assembly were attempting to annul the elections through the enactment of legislation, but that initiative ended when the FSLN gained control of the legislature through agreements with the Constitutional Liberal Party (PLC) (ref A). The GoN's position regarding the stolen elections was neatly stated by Deputy Foreign Minister Valdrek Jaentschke who told Managua's suspected mayor-elect Eduardo Montealegre, to "get over" the election fraud. End Summary.

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CSE Admits Fraud, GoN Takes No Action  
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[1](#)2. (C) In two meetings since the November 2008 elections, CSE Chief of Staff Barreto, with surprising candor, acknowledged that the FSLN had stolen the elections. Barreto suggested that the FSLN, through the CSE, had rigged the electoral system throughout the year prior to the local contests, but that election-day results were not as planned leading to gross alterations of the tally sheets in order to give the FSLN the huge win the CSE announced. Despite the massive fraud, Barreto stated the CSE magistrates would not make any "corrections" to the election results and believed it unlikely that any other branch of government would address the fraudulent outcome. Additionally, he found it unlikely that any of the CSE magistrates would be removed from their position before their terms expired. (Note: All the CSE magistrates' terms end in 2010. The removal of any magistrate prior to the end of his/her term would require 56 votes in the National Assembly, which implies the votes of FSLN deputies. This seems highly unlikely. End Note.) Moreover, Barreto thought that CSE President Roberto Rivas would likely maintain a seat on the electoral authority body after his term expired because Rivas served as a "bridge" between the FSLN and the PLC and was able to cater to the needs of both parties.

[1](#)3. (C) The GoN's public response to the domestic and

international criticism of elections fraud has been to dismiss the reports citing a history of "flawed" elections in Nicaragua while simultaneously pushing forward quickly to claim victory and install their candidates. On November 21, a day after the CSE announced the official results, President Ortega presided over a FSLN street party to celebrate the FSLN's "victory" at the polls. A week later First Lady Rosario Murillo met with all the mayors-elect to set the agenda for the municipal governments' plan of "citizen power" (the FSLN's patronage system based around the Citizen Power Councils, CPC). On January 14, Ortega presided over the CSE's swearing in of the new municipal governments (ref C). Murillo again met with the mayors on February 19 in a 'Citizen Power' working session. Since the installation of the new mayors, the FSLN has publicly and privately urged the opposition and the international community to accept the official results as a political fact. This was clearly stated by Deputy Foreign Minister Jaentschke. In a conversation with the Ambassador, Eduardo Montealegre, and Jaentschke to celebrate the U.S. inauguration of President Obama, Montealegre alluded to the fact that the GoN had robbed him of the Managua mayorship. Jaentschke's response (in English) was simply, "Oh Eduardo, get over it."

14. (U) In its final report on the elections, the domestic observer NGO Ethics and Transparency (EyT) determined that the CSE orchestrated fraud in at least 40 municipalities. EyT documented a string of abuses including the failure of the CSE to accredit domestic and international observers, closing polling stations early to prevent opposition sympathizers from voting, and the expulsion of party poll watchers from the voting and counting places. EyT also documented enormous irregularities in the counting process, including some places where more votes were counted than there were eligible voters. EyT Executive Director Roberto Courtney, in summing up the accounts of fraud, commented that "Nicaragua cannot go into future elections with this Electoral Law and this CSE." In response to the report, CSE spokesman Felix Navarrette told the media that the complaints had no basis in fact and the elections were a "closed case."

15. (C) The National Assembly had been the only branch of government likely to address the fraud. On November 16 the opposition parties in the National Assembly introduced legislation to annul the election results, which led to the paralyzation of the legislature (ref C). However, on January 16, through a FSLN-PLC agreement, the Assembly elected a new executive committee which gave administrative control of the legislature to the FSLN, and as a result effectively ended the possibility that the draft legislation would make it to a floor vote. FSLN deputies have publicly stated their opposition to the bill. Nicaraguan Liberal Alliance (ALN) deputies, now voting with the FSLN, also have stated that they will not vote for the legislation, ensuring the opposition will not have the necessary votes to pass the legislation.

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FSLN Seeks Cosmetic Changes  
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16. (C) In private discussions, the FSLN and the PLC have proposed two scenarios for addressing the electoral fraud, both of which are fraught with difficulties and are likely to weaken democracy further: a FSLN-PLC negotiated agreement to return a number of mayorships to the PLC; and, 'reform' of the electoral law. Contacts within the PLC and in the media have reported that Aleman was negotiating with Ortega for the return of 15-20 mayorships throughout Nicaragua. Rommel Moreno, opposition mayoral candidate in Corinto (Department of Chinandega), told the Ambassador that Aleman had told Moreno that Corinto was one of the cities Aleman was trying to get back. Embassy contacts have stated that neither Managua, Leon, nor any "big" city would be returned in such a negotiation, but that most of the cities "returned" to the opposition would be in the PLC's traditionally strong region of the north (Jinotega, Nueva Segovia, etc.). The likelihood of an Ortega-Aleman agreement on mayorships is increasingly

low as time passes, and Aleman himself has stated recently that the FSLN will not return any mayorships. Regardless, such an agreement would not resolve the broader concerns about electoral fraud and would strengthen the "pacto" between the FSLN and PLC.

17. (C) Reform of the electoral law has been proposed as the other method by which the government might address the November 2008 electoral fraud. The PLC has been vocal in promoting electoral reform that would break up the power of the CSE, but without changing the ability of the FSLN and PLC to divide control of the new institution among themselves. A broad coalition of civil society groups is working on proposals for more genuine electoral reform but are reluctant to press forward out of concern that that electoral reform would open the door to broader constitutional reform (a key FSLN goal). Electoral reforms would require 56 votes in the National Assembly, thereby opening the potential of another FSLN-PLC negotiated agreement to divide power. Second, many are concerned that reforming the Constitution for electoral reform would open the door to the FSLN's main objective of reforming the Constitution, which also requires 56 votes, to allow for presidential re-election and/or a semi-parliamentary system, with the FSLN being the main beneficiary. Once the 56 votes are in place to pass electoral reform there would be little to stop them from also passing sweeping constitutional changes as well.

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Comment  
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18. (C) The governing FSLN admits electoral fraud and expects (or maybe hopes) the opposition and the international community will accept it and move on. Aware that the donor community has suspended assistance as a result of the election fraud, Ortega and his government decided to pay the price rather than admit fraud or return any local power to members of the opposition. Civil society, including NGOs, independent media and the Catholic Church, has kept up demands for the government to address the fraud, both retroactively through an internationally monitored audit and forward-looking by addressing the deeper problems of the partisan CSE and the flawed electoral system. As with most crises, Ortega and the FSLN believe they can ride out this problem and in the end come out on top. Should the pressure continue, however, Ortega has hedged his bets by proposing a "national dialogue" to address the political and financial crises affecting Nicaragua. FSLN leaders have avoided specifics on the terms of the "dialogue" and, while it is possible they would use it to offer some concessions on the electoral system, any changes would be part of a broader package that advanced Ortega's longer-term political goals, including constitutional reform and re-election.

CALLAHAN